

REMARKS

Applicant will address each of the Examiner's rejections in the order in which they appear in the Final Rejection.

Claim Rejections - 35 USC §112

In the Final Rejection, the Examiner rejects Claims 9-11, 17-19, 33-35, 37-39, 41-43 and 59-63 under 35 USC §112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

In particular, the Examiner objects to the recital in the independent claims that a first voltage and a second voltage are alternatively applied between the anode and the cathode. While Applicant traverses this rejection, in order to advance the prosecution of the application, Applicant has amended independent Claims 9, 17 and 33, and canceled independent Claims 37 and 41, and those claims dependent thereon. Independent Claims 9, 17 and 33 have been amended to recite applying a first reverse bias voltage between an anode and a cathode of the light emitting device; and applying a second reverse bias voltage between the anode and the cathode of the light emitting device after applying the first reverse bias voltage, wherein an absolute value of the second reverse bias voltage is higher than an absolute value of the first reverse bias voltage. These features are shown, for example, in Fig. 1B and the "Embodiment mode" which starts on page 10 of the present application.

Accordingly, it is respectfully submitted that this rejection has now been overcome, and it is requested that the rejection be withdrawn.

Double Patenting

The Examiner also provisionally rejects Claims 9-12, 17-20, 33-44 and 59-63 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of copending application 10/158,658. This rejection is also respectfully traversed.

Initially, Applicant wishes to advise the Examiner that application 10/158,658 has now issued as US Patent no. 6,777,249.

The claims in the '249 patent, however, do not recite that an absolute value of the second reverse bias voltage is higher than an absolute value of the first reverse bias voltage, as recited in the independent claims of the present application. Accordingly, the claims of the present application are patentably distinct from the claims of the '249 patent, and there is no double patenting. Therefore, it is respectfully requested that this rejection be withdrawn.

Claim Rejections - 35 USC §102

The Examiner also rejects Claims 9, 11, 17, 19, 33, 35, 37, 39, 41, 43 and 59-63 under 35 USC §102(b) as being anticipated by Tang et al. This rejection is also respectfully traversed.

As explained above, independent Claims 9, 17 and 33 recite that an absolute value of the second reverse bias voltage is higher than an absolute value of the first reverse bias voltage. Tang does not disclose or suggest this feature. Therefore, the independent claims, and those claims dependent thereon, are patentable over the cited reference. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim Rejections - 35 USC §103

The Examiner also rejects Claims 10, 18, 34 and 42 under 35 USC §103(a) as being unpatentable over Tang et al. This rejection is also respectfully traversed.

Each of these claims is a dependent claim. Accordingly, for at least the reasons discussed above for the independent claims, the dependent claims are also patentable over the cited references. Therefore, it is respectfully requested that this rejection be withdrawn.

New Claims

Applicant is also adding new Claims 64-75 herein. Independent Claims 64, 68 and 72 recite the above discussed features of independent Claims 9, 17 and 33. Accordingly, the new claims are allowable over the cited reference for at least the reasons discussed above for Claims 9, 17 and 33.

New independent Claims 64, 68 and 72 also recite that the first reverse bias voltage and the second reverse bias voltage are rectangular waves. This feature is shown, for example, in Fig. 1B of the present application. Hence, no new matter is being added, and it is requested that these new claims be entered and allowed.

If any fee should be due for these new claims, please charge our deposit account 50/1039.


Conclusion

For at least the above-stated reasons, the claims of the present application are in an allowable condition and should be allowed.

If any fee is due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,


Mark J. Murphy
Registration No. 34,225

COOK, ALEX, MCFARRON, MANZO,
CUMMINGS & MEHLER, LTD.
200 West Adams Street - #2850
Chicago, IL 60606
(312) 236-8500

Customer no. 000026568